

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOSHUA L. ALGER, SR.,

Case No. 19-12889

Plaintiff,

Stephanie Dawkins Davis

v.

United States District Judge

MCDOWELL, *et al*,

Defendants.

/

**OPINION AND ORDER ACCEPTING AND ADOPTING
THE MAGISTRATE JUDGE’S DECEMBER 27, 2021
REPORT AND RECOMMENDATION (ECF No. 50)**

Currently before the Court is Magistrate Judge Curtis Ivy, Jr.’s December 27, 2021 Report and Recommendation. (ECF No. 50). Magistrate Judge Ivy screened Plaintiff’s Amended Complaint, recommends dismissing the conspiracy claims in whole along with a number of newly named defendants, and recommends denying the motion to transfer venue or sever without prejudice. The Court is fully advised in the premises and has reviewed the record and the pleadings. Neither party has filed objections. “[T]he failure to object to the magistrate judge’s report[] releases the Court from its duty to independently review the matter.” *Hall v. Rawal*, 2012 WL 3639070 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The Court nevertheless agrees with the Magistrate Judge’s recommended disposition. Therefore, the Court **ACCEPTS** and

ADOPTS the Magistrate Judge's Report and Recommendation (ECF No. 50),
DISMISSES Plaintiff's conspiracy claims, **DISMISSES** defendants Sgt. Curtis,
Lt. Lavine, Unknown Captain #1, Unknown Captain #2, Bridges, Leach, O'Brien,
Theut, Goodspeed, MacLaren, Mackie, Ball, Unknown Warden, Unknown Deputy
Warden, Unknown Unit Chief, Beauvais, Posios, Patrick, Stephenson, and Golson
and **DENIES** the motion to transfer this matter to the Western District of
Michigan, or sever, without prejudice.

IT IS SO ORDERED.

Date: February 14, 2022

s/Stephanie Dawkins Davis
Stephanie Dawkins Davis
United States District Judge

CERTIFICATE OF SERVICE

I certify that on February 14, 2022, I filed the foregoing paper with the Clerk
of the Court using the ECF system which will send electronic notification to all
counsel of record and I mailed by United States Postal Service to the following
non-ECF participant:

s/Richard Loury
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